



# THE ERIE COUNTY LEGISLATURE

Session No. 10

May 25, 2006

Lynn M. Marinelli  
*Chairman*

Maria R. Whyte  
*Majority Leader*

Barry A. Weinstein  
*Minority Leader*

Kevin M. Kelley  
*Clerk of the Legislature*

---

## ROLL CALL

---

INVOCATION – Ms. Locklear

---

PLEDGE OF ALLEGIANCE – Mr. Loughran

---

## TABLED ITEMS

---

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

---

MINUTES OF PREVIOUS MEETING

---

PUBLIC HEARING

---

## MISCELLANEOUS RESOLUTIONS

---

REYNOLDS	Honoring Spirited, Staff Sergeant Christopher T. Howick U.S. Army Killed in Afghanistan
MARINELLI, IANNELLO & WHYTE	Honoring Bronze Medal US Olympic Sled Hockey Team Members Alexi Salamond, Chris Manns, Brad Emerson
MARINELLI	Recognizing May 21-27 as National Association of Insurance Women Celebration Week for the Insurance Women of Buffalo
MARINELLI	Honoring Eric Martin, Buffalo, NY for Achieving the Rank of Eagle Scout on June 11, 2006
MARINELLI	Honoring the Ellwood Fire Company, District 1, Tonawanda, NY Celebrates 85 Years of Service on June 3, 2006
MARINELLI	Honoring James "Jim" Twombly, PhD as Amherst Democrat of the Year on June 1, 2006
MARINELLI	Honoring Robert T. Clark, Tonawanda, NY for Achieving the Rank of Eagle Scout on June 14, 2006
LOCKELAR	Honoring the 2006 Finance Academy Graduates from West Seneca East and West Seneca West High School
LOCKELAR	Honoring the 2006 Students of Excellence Awardees from West Seneca East and West Seneca West High School
LOUGHRAN	Recognizing Kathleen V. Byrnes and Michael Rizzo for Their Efforts to Reformulate the Brighton Library into Brighton Place
LOCKLEAR	Recognizing the Cheektowaga Dept. of Senior Services 50th Wedding May 2006 Anniversary Celebration

---

**LOCAL LAWS**

**REFERENCE**

LL INT 7-1 3/30/2005	SMITH	The Local Law To Retain Jobs in NYS	
LL INT 12-1 10/19/2005	MARINELLI	A LL Amending the EC Charter & EC Administrative Code as Amended, in Relation to the Titles and Positions of Deputy Commissioner and Deputy Director	Government Affairs

**COMMITTEE REPORTS**

REPORT NO. 7	HEALTH COMMITTEE
REPORT NO. 9	ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 7	PUBLIC SAFETY COMMITTEE
REPORT NO. 8	GOVERNMENT AFFAIRS COMMITTEE
REPORT NO. 8	ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 8	FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 6	HUMAN SERVICES COMMITTEE
REPORT NO. 7	COMMUNITY ENRICHMENT COMMITTEE

**LEGISLATOR RESOLUTIONS:**

**REFERENCE**

INTRO 10-1	RANZENHOFER	Erie County Cap on Tax for Motor Fuel & Diesel Motor Fuel	
INTRO 10-2	MARINELLI, WHYTE, REYNOLDS, MAZUR, LOUGHRAN, KENNEDY, KONST, KOZUB & LOCKLEAR	Ensuring Security at Child Protective Services	
INTRO 10-3	MAZUR, KOZUB, MARINELLI, WHYTE, REYNOLDS, LOUGHRAN, LOCKLEAR, KENNEDY & KONST	Support for H.R.4259: Veterans Right to Know Act	
INTRO 10-4	MARINELLI, WHYTE, KOZUB, KONST & REYNOLDS	Responsible Bonding for 2006	
INTRO 10-5	WHYTE & KENNEDY	Big Box Retailers, Medicaid & the Hidden Cost to Erie County Taxpayers	

**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**SUSPENSION OF THE RULES:**

**COMMUNICATIONS FROM ELECTED OFFICIALS:**

**REFERENCE**

COMM. 10E-1	COUNTY EXECUTIVE	Response to Wireless Device Audit	Government Affairs
COMM. 10E-2	SMITH	Schedule of 2006 Mid-Year Budget Hearing	RFP
COMM. 10E-3	COUNTY EXECUTIVE	Division of Budget, Management & Finance - 2005 Year End Budget Balancing Amendments	Finance & Management
COMM. 10E-4	COMPTROLLER	Bond Resolution - 200 Capital Program (Excluding ECMCC)	Finance & Management
COMM. 10E-5	KOZUB	Legislative Office Space	
COMM. 10E-6	MARINELLI	Copy of Letter to ECFSA Chair Re: 2007 Budget Process	Finance & Management
COMM. 10E-7	MARINELLI	Copy of Memo to BOE Commissioners Re: BOE Priority Funding Plan	Government Affairs
COMM. 10E-8	MARINELLI	Appointment to the Cornell University Cooperative Extension Board of Directors	RFP

COMM. 10E-9	COUNTY EXECUTIVE	Authorization for Division of Budget, Management & Finance to hold a Public Auction for Sale of County-Owned Inventory Properties	Finance & Management
COMM. 10E-10	COUNTY EXECUTIVE	Appointments to the Erie County Fire Advisory Board	Public Safety
COMM. 10E-11	COUNTY EXECUTIVE	Appointment to the Fisheries Advisory Board	Energy & Environment
COMM. 10E-12	COUNTY EXECUTIVE	Senior Services - Authorization to Accept Donations	Human Services
COMM. 10E-13	COUNTY EXECUTIVE	DEP - Division of Sewerage Management - Managerial Confidential	Government Affairs
COMM. 10E-14	COUNTY EXECUTIVE	WNY Stormwater Coalition Local Ordinance Project	Energy & Environment
COMM. 10E-15	COUNTY EXECUTIVE	Social Services - Contract W/ Biel's Information Technology	Human Services
COMM. 10E-16	COUNTY EXECUTIVE	Surplus Revenue - Road Repair Reserve Fund - Public Hearing Request	Economic Development
COMM. 10E-17	COUNTY EXECUTIVE	Establishment of an Asbestos/Air Quality Coordinator Position to Fulfill a Grievance	Government Affairs
COMM. 10E-18	COUNTY EXECUTIVE	New Architectural Draftworker and Assistant Electrical Engineer Positions	Government Affairs
COMM. 10E-19	COUNTY EXECUTIVE	Probation & Youth Detention - Division of Criminal Justice Services Challenge Grant Project	Public Safety
COMM. 10E-20	COUNTY EXECUTIVE	CPS - Acceptance of the Pilot Project w/NYS Wireless and Erie County, to start the Statewide Wireless Network	Public Safety
COMM. 10E-21	COUNTY EXECUTIVE	Emergency Services - Transfer of Funds	Public Safety
COMM. 10E-22	COUNTY EXECUTIVE	DEP - Pollution Prevention Technical Assistance Grant Program	Energy & Environment
COMM. 10E-23	COUNTY EXECUTIVE	DEP - Concord, NY Freshwater Wetlands Protection Project	Energy & Environment
COMM. 10E-24	COUNTY EXECUTIVE	Senior Services - Authorization to Amend the CSE, EISEP & WRAP-SOFA Grant Budgets	Human Services
COMM. 10E-25	COUNTY EXECUTIVE	Lease of Space on Cell Tower at ECC South Campus	Community Enrichment

COMM. 10E-26	COUNTY EXECUTIVE	DPW - Supplemental for Construction Inspections and Engineering Services - FEMA Projects on Vermont Streets (CR 226) - Town of Holland, Erie County - Project No. FEMA 226-2-8-06	Economic Development
COMM. 10E-27	COUNTY EXECUTIVE	ECSD No. 6 - Bethlehem Park Phase II/Village of Hamburg Phase IV - Contract No. 32SA - Change Order No. 1 - Kandey Company, Inc.	Energy & Environment
COMM. 10E-28	COUNTY EXECUTIVE	DPW - Grover Cleveland Golf Courses, Irrigation System, Contingency Fund Increase	Economic Development
COMM. 10E-29	COUNTY EXECUTIVE	ECSTSTA - Engineering Service Agreements - Work Order: URS-5 - Comm. 21E-33	Energy & Environment
COMM. 10E-30	COUNTY EXECUTIVE	DPW - Award of Contract Inspection and Engineering Services - Reconstruction of Flood Damage - Four Rod Road (CR 356) Culverts EC 356-1 & EC 356-4 and Stolle Road (CR 334) Embankment	Economic Development
COMM. 10E-31	COUNTY EXECUTIVE	Personnel - 2006-2007 NYS Safety Training Grant Awarded	
COMM. 10E-32	COUNTY EXECUTIVE	ECC Budget 2006-2007	Community Enrichment

**COMMUNICATIONS FROM THE DEPARTMENTS:**

**REFERENCE**

COMM. 10D-1	DIRECTOR OF MANAGEMENT INITIATIVES	Erie County Government Comparison to Major Counties in Erie County	Finance & Management
COMM. 10D-2	ECC	Notice of 5/17/06 Board of Trustee Meeting	R&F
COMM. 10D-3	DIRECTOR OF MANAGEMENT INITIATIVES	Copy of Letter to ECFSA Board Members Re: Erie County Stabilization Project	Finance & Management
COMM. 10D-4	BECPL	Proposed Agenda for 5/18/06 Board of Trustee Meeting	R&F
COMM. 10D-5	ECC	Minutes of 4/26/06 Board of Trustees Meeting	R&F

<b><u>COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:</u></b>			<b><u>REFERENCE</u></b>
COMM. 10M-1	EC ENVIRONMENTAL MANAGEMENT COUNCIL	Meeting & Notice of Agenda - 5/1/06	R&F
COMM. 10M-2	NYS DEPT. OF LABOR	Copy of Letter to ECL Chief of Staff Re: Apprenticeship Local Law	R&F
COMM. 10M-3	BRIAN HIGGINS	Copy of Memo to County Attorney Re: Veterans Office	R&F
COMM. 10M-4	TOWN OF HAMBURG	Certified Resolution Re: Rescinding Resolution Calling for Boycott of Exxon Mobil Gas Station	R&F
COMM. 10M-5	ECWA	Health Dept. - Plan Review Fees	Health
COMM. 10M-6	NYS BOARD OF REAL PROPERTY SERVICES	List of Certified 2006 State Equalization Rates	R&F
COMM. 10M-7	BUFFALO NIAGARA CONVENTION & VISITORS BUREAU	Formal Request for Dedication of the Erie County Bed Tax to the CVB	Finance & Management
COMM. 10M-8	BUFFALO PUBLIC SCHOOLS	Overtime Costs Charged Erie County during Primary and Special Elections	R&F
COMM. 10M-9	ASSOCIATED BUILDERS & CONTRACTS	Letter in Opposition of LL 3-2006	R&F
COMM. 10M-10	ECFSA	Copy of Letter to County Attorney & Budget Director Re: Available Office Space for ECFSA	R&F
COMM. 10M-11	NFTA	Cash Flow Statements	R&F

**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**